

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 ABDIWALI MUSSE,

10 Plaintiff,

11 v.

12 WILLIAM HAYES, *et al.*,

13 Defendants.  
14

CASE NO. C18-1736-JCC

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable John C.  
16 Coughenour, United States District Judge:

17 This matter comes before the Court on the parties' stipulated notice of dismissal of  
18 Plaintiff's claims against Defendant William Hayes. (Dkt. No. 69). Federal Rule of Civil  
19 Procedure 41(a)(1)(A)(ii) provides that a "plaintiff may dismiss an action without a court order  
20 by filing . . . a stipulation of dismissal signed by all parties who have appeared." Here, the parties  
21 nevertheless request that the Court enter a proposed order filed with their stipulation. Although  
22 Rule 41 governs dismissal of an "action," the Ninth Circuit has held that a "plaintiff may dismiss  
23 some or all of the defendants . . . through a Rule 41(a)(1) notice." *Wilson v. City of San Jose*, 111  
24 F.3d 688, 692 (9th Cir. 1997).

25 The parties have stipulated to dismissing all claims against Mr. Hayes with prejudice, and  
26 the stipulation is signed by all parties who have appeared. (*See* Dkt. No. 37.) Thus, under Federal

1 Rule of Civil Procedure 41(a)(1)(A)(ii), the stipulation is self-executing. All claims against the  
2 Mr. Hayes are DISMISSED with prejudice and without costs to any party, with each party to  
3 bear its own attorney fees and other litigation expenses.

4 DATED this 13th day of July 2021.

5 Ravi Subramanian  
6 Clerk of Court

7 s/Paula McNabb  
8 Deputy Clerk